

# Senate Study Bill 1175 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR BILL)

## A BILL FOR

1 An Act relating to motor vehicle enforcement duties of  
2 the department of public safety and the department of  
3 transportation, making appropriations, and including  
4 effective date provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 80.5, subsection 2, Code 2023, is amended  
2 to read as follows:

3 2. The state patrol is established in the department.  
4 The patrol shall be under the direction of the commissioner.  
5 The number of supervisory officers shall be in proportion  
6 to the membership of the state patrol. The department  
7 shall maintain a vehicle theft unit in the state patrol to  
8 investigate and assist in the examination and identification  
9 of stolen, altered, or forfeited vehicles. In addition to  
10 other duties, powers, and responsibilities prescribed by law,  
11 the state patrol shall supervise the highways of this state  
12 and conduct enforcement activities that ensure the safe and  
13 lawful movement and operation of commercial motor vehicles and  
14 vehicles transporting loads, including but not limited to the  
15 enforcement of motor vehicle laws relating to the operating  
16 authority, registration, size, weight, and load of motor  
17 vehicles and trailers.

18 Sec. 2. Section 80B.6, subsection 1, paragraph k, Code 2023,  
19 is amended to read as follows:

20 k. A member of ~~the office of motor vehicle enforcement of~~  
21 the department of transportation involved with the enforcement  
22 activities set forth in section 321.477.

23 Sec. 3. Section 97B.42B, Code 2023, is amended by adding the  
24 following new subsection:

25 NEW SUBSECTION. 4A. a. Commencing July 1, 2023, a  
26 person who is a designated peace officer in the department of  
27 transportation under section 321.477, Code 2023, as of June 30,  
28 2023, who has fewer than ten years of membership service, and  
29 who is transferred to the department of public safety pursuant  
30 to this Act, shall be a member of the Iowa department of public  
31 safety peace officers' retirement, accident, and disability  
32 system established in chapter 97A.

33 b. Commencing July 1, 2023, a person who is a designated  
34 peace officer in the department of transportation under section  
35 321.477, Code 2023, as of June 30, 2023, who has ten or more

1 years of membership service, and who is transferred to the  
2 department of public safety pursuant to this Act, shall remain  
3 a member of the Iowa public employees' retirement system.

4 Sec. 4. Section 97B.49B, subsection 1, paragraph e,  
5 subparagraph (5), Code 2023, is amended to read as follows:

6 (5) (a) An employee of the state department of  
7 transportation who is designated as a *"peace officer"* by  
8 resolution under [section 321.477](#), but only if the employee  
9 retires on or after July 1, 1990. For purposes of this  
10 subparagraph, service as a traffic weight officer employed  
11 by the highway commission prior to the creation of the state  
12 department of transportation or as a peace officer employed by  
13 the Iowa state commerce commission prior to the creation of  
14 the state department of transportation shall be included in  
15 computing the employee's years of membership service.

16 (b) An employee of the department of public safety described  
17 in section 97B.42B, subsection 4A, paragraph "b".

18 Sec. 5. Section 152C.5B, subsection 1, paragraph b,  
19 subparagraph (5), Code 2023, is amended by striking the  
20 subparagraph.

21 Sec. 6. Section 157.4A, subsection 1, paragraph b,  
22 subparagraph (5), Code 2023, is amended by striking the  
23 subparagraph.

24 Sec. 7. Section 307.12, subsection 1, paragraph n, Code  
25 2023, is amended to read as follows:

26 n. Adopt, after consultation with the department of  
27 natural resources and the department of public safety, rules  
28 relating to enforcement of the rules regarding transportation  
29 of hazardous wastes adopted by the department of natural  
30 resources. The department of transportation and the division  
31 of state patrol of the department of public safety shall carry  
32 out the enforcement of the rules, as otherwise authorized by  
33 law.

34 Sec. 8. Section 307.48, Code 2023, is amended by adding the  
35 following new subsection:

1     NEW SUBSECTION.   3.   An employee of the office of motor  
2 vehicle enforcement of the department of transportation on June  
3 30, 2023, who is transferred to the department of public safety  
4 pursuant to this Act, retains all rights to longevity pay.

5     Sec. 9.   Section 321.2, subsection 2, Code 2023, is amended  
6 to read as follows:

7     2.   The division of state patrol of the department of public  
8 safety shall enforce the provisions of this chapter relating to  
9 traffic on the public highways of the state, including those  
10 relating to the safe and legal operation of passenger cars,  
11 motorcycles, motor trucks, and buses, and other commercial  
12 motor vehicles, and to see that proper safety rules are  
13 observed.

14     Sec. 10.   Section 321.266, subsection 4, Code 2023, is  
15 amended to read as follows:

16     4.   Notwithstanding section 455B.386, a carrier transporting  
17 hazardous material upon a public highway in this state, in  
18 the case of an accident involving the transportation of the  
19 hazardous material, shall immediately notify the police radio  
20 broadcasting system established pursuant to section 693.1 or  
21 shall notify a peace officer of the county or city in which  
22 the accident occurs. When a local law enforcement agency is  
23 informed of the accident, the agency shall notify the state  
24 patrol ~~and the state department of transportation office of~~  
25 ~~motor vehicle enforcement~~. A person who violates a provision  
26 of this subsection is guilty of a serious misdemeanor.

27     Sec. 11.   Section 321.449, subsection 1, paragraphs a and b,  
28 Code 2023, are amended to read as follows:

29     a.   A person shall not operate a commercial vehicle on the  
30 highways of this state except in compliance with rules adopted  
31 by the department of transportation and rules adopted by the  
32 department of public safety under chapter 17A. The rules shall  
33 be consistent with the federal motor carrier safety regulations  
34 promulgated under United States Code, Tit. 49, and found in 49  
35 C.F.R. pts. 385, 390 – 399 and adopted under chapter 17A.

1     **b.** The department of transportation or department of public  
2 safety shall also adopt rules concerning hours of service for  
3 drivers of vehicles operated for hire and designed to transport  
4 seven or more persons, including the driver. The rules shall  
5 not apply to vehicles offered to the public for hire that are  
6 used principally in intracity operation and that are regulated  
7 by local authorities pursuant to [section 321.236](#).

8     Sec. 12. Section 321.449, subsection 4, paragraph c, Code  
9 2023, is amended to read as follows:

10     **c.** A driver or a driver-salesperson for a private carrier,  
11 who is not for hire and who is engaged exclusively in  
12 intrastate commerce, may drive twelve hours, be on duty sixteen  
13 hours in a twenty-four-hour period, and be on duty seventy  
14 hours in seven consecutive days or eighty hours in eight  
15 consecutive days. A “*driver-salesperson*” means as defined in 49  
16 C.F.R. §395.2, as adopted by the department of public safety  
17 by rule.

18     Sec. 13. Section 321.449, subsection 8, Code 2023, is  
19 amended to read as follows:

20     8. In the course of enforcing the motor carrier safety  
21 rules adopted by the department of public safety under chapter  
22 17A, the ~~department’s~~ department of public safety’s peace  
23 officers are authorized, at reasonable times and places and  
24 with reasonable notice, to enter a motor carrier’s place of  
25 business for the purpose of performing a motor carrier safety  
26 audit or compliance review. Nothing in [this subsection](#) by  
27 itself permits the seizure of the property of a motor carrier.  
28 Any audit or review shall be conducted in compliance with the  
29 federal motor carrier safety regulations in 49 C.F.R. pts. 105  
30 – 185, 382, 383, 385, and 390 – 399. A peace officer of the  
31 department of public safety is authorized to inspect and copy  
32 motor carrier records required by 49 C.F.R. pts. 105 – 185,  
33 382, 383, 385, and 390 – 399.

34     Sec. 14. Section 321.449B, subsection 1, Code 2023, is  
35 amended to read as follows:

1 1. *a.* A person subject to rules adopted by the department  
2 of public safety pursuant to [section 321.449](#) shall not  
3 operate a commercial motor vehicle while engaged in texting as  
4 prohibited by [49 C.F.R. §392.80](#), except in an emergency or as  
5 otherwise permitted under [49 C.F.R. §392.80](#).

6 *b.* A person subject to rules adopted by the department of  
7 public safety pursuant to [section 321.449](#) shall not operate  
8 a commercial motor vehicle while using a hand-held mobile  
9 telephone as prohibited by [49 C.F.R. §392.82](#), except in an  
10 emergency or as otherwise permitted under [49 C.F.R. §392.82](#).

11 Sec. 15. Section 321.450, subsection 1, Code 2023, is  
12 amended to read as follows:

13 1. A person shall not transport or have transported or  
14 shipped within this state any hazardous material except in  
15 compliance with rules adopted by the department of public  
16 safety under [chapter 17A](#). The rules shall be consistent with  
17 the federal hazardous materials regulations adopted under  
18 United States Code, Tit. 49, and found in 49 C.F.R. pts. 107,  
19 171 to 173, 177, 178, and 180.

20 Sec. 16. Section 321.463, subsection 5, paragraph b, Code  
21 2023, is amended to read as follows:

22 *b.* Notwithstanding any provision of law to the contrary,  
23 a motor vehicle described in paragraph “a” equipped with an  
24 auxiliary power or idle reduction technology unit that reduces  
25 fuel use and emissions during engine idling may exceed any  
26 applicable maximum gross weight limit under [this chapter](#) by  
27 five hundred fifty pounds or the weight of the auxiliary power  
28 or idle reduction technology unit, whichever is less. This  
29 paragraph “b” ~~shall~~ does not apply unless the operator of  
30 the vehicle provides to the department of public safety a  
31 written certification of the weight of the auxiliary power  
32 or idle reduction technology unit, demonstrates or certifies  
33 to the department of public safety that the idle reduction  
34 technology unit is fully functional at all times, and carries  
35 with the operator the written certification of the weight of

1 the auxiliary power or idle reduction technology unit in the  
2 vehicle at all times to present to law enforcement in the event  
3 the vehicle is suspected of violating any applicable weight  
4 restrictions.

5 Sec. 17. Section 321.476, subsection 1, Code 2023, is  
6 amended to read as follows:

7 1. ~~a. Authority is hereby given to the~~ A member of the  
8 state patrol of the department to stop of public safety is  
9 authorized to do any of the following:

10 a. Stop any motor vehicle or trailer on the highways for the  
11 purposes of weighing and inspection, to weigh and inspect the  
12 same and to enforce the provisions of the motor vehicle laws  
13 relating to the registration, size, weight, and load of motor  
14 vehicles and trailers.

15 ~~b. Authority is also hereby granted to subject to weighing~~  
16 ~~and inspection,~~ Weigh and inspect vehicles which have moved  
17 from a highway onto private property under circumstances which  
18 indicate that the load of the vehicle, if any, is substantially  
19 the same as the load which the vehicle carried before moving  
20 onto the private property.

21 Sec. 18. Section 321.477, Code 2023, is amended to read as  
22 follows:

23 **321.477 Employees as peace officers — maximum age.**

24 1. The department may designate by resolution certain of its  
25 employees upon each of whom there is conferred the authority  
26 of a peace officer to ~~enforce all laws of the state including~~  
27 ~~but not limited to the rules and regulations of the department~~  
28 investigate and enforce all of the following:

29 a. Laws relating to motor vehicle records, documents,  
30 credentials, procedures, and revenues, including but not  
31 limited to crimes and abuse of authority associated with  
32 fraud, identity theft, vehicle titles and registration, dealer  
33 licenses, and authorized vehicle recycler licenses.

34 b. Laws relating to motor vehicle fraud including but not  
35 limited to the state and federal odometer laws, including as

1 provided in sections 307.37 and 321.71.

2     2. Employees designated as peace officers pursuant to this  
3 section shall have the same powers conferred by law on peace  
4 officers for the enforcement of all laws of this state and the  
5 apprehension of violators.

6     ~~2. Employees designated as peace officers pursuant to this~~  
7 ~~section who are assigned to the supervision of the highways~~  
8 ~~of this state shall spend the preponderance of their time~~  
9 ~~conducting enforcement activities that assure the safe and~~  
10 ~~lawful movement and operation of commercial motor vehicles and~~  
11 ~~vehicles transporting loads, including but not limited to the~~  
12 ~~enforcement of motor vehicle laws relating to the operating~~  
13 ~~authority, registration, size, weight, and load of motor~~  
14 ~~vehicles and trailers, and registration of a motor carrier's~~  
15 ~~interstate transportation service with the department.~~

16     3. Employees designated as peace officers pursuant to  
17 this section shall not exercise the general powers of a peace  
18 officer set forth in this section within the limits of any  
19 city, except as follows:

20     a. When so ordered by the direction of the governor.

21     b. When request is made by the mayor of any city, with the  
22 approval of the director.

23     c. When request is made by the sheriff or county attorney of  
24 any county, with the approval of the director.

25     d. While in the pursuit of law violators or in investigating  
26 law violations.

27     e. While making any inspection provided by [this chapter](#), or  
28 any additional inspection ordered by the director.

29     ~~f. When engaged in the investigation and enforcement of laws~~  
30 ~~relating to narcotic, counterfeit, stimulant, and depressant~~  
31 ~~drugs.~~

32     ~~4. The limitations specified in [subsection 3](#) shall in no~~  
33 ~~way be construed as a limitation on the power of employees~~  
34 ~~designated as peace officers pursuant to [this section](#) when a~~  
35 ~~public offense is being committed in their presence.~~



1     ~~5. The department shall submit a report to the general~~  
2 ~~assembly on or before December 1 of each year that details the~~  
3 ~~nature and scope of enforcement activities conducted in the~~  
4 ~~previous fiscal year by employees designated as peace officers~~  
5 ~~pursuant to this section who are assigned to the supervision~~  
6 ~~of the highways of this state. The report shall include a~~  
7 ~~comparison of commercial and noncommercial motor vehicle~~  
8 ~~enforcement activities conducted by such employees.~~

9     ~~6.~~ 4. The maximum age for a person employed as a peace  
10 officer pursuant to this section is sixty-five years of age.

11     Sec. 19. Section 321.481, Code 2023, is amended to read as  
12 follows:

13     **321.481 No impairment of other authority.**

14     Nothing in sections 321.476 through ~~321.480~~ 321.479 shall be  
15 so construed as to limit or impair the authority or duties of  
16 other peace officers in the enforcement of the motor vehicle  
17 laws or any portion thereof.

18     Sec. 20. Section 325A.10, Code 2023, is amended to read as  
19 follows:

20     **325A.10 Rules for operation.**

21     1. The department shall adopt rules pursuant to chapter  
22 17A as necessary to govern and control the operation, and  
23 ~~maintenance, and inspection~~ of vehicles covered by this chapter  
24 upon the highways.

25     2. The department of public safety shall adopt rules  
26 pursuant to chapter 17A as necessary to govern the inspection  
27 of vehicles covered by this chapter upon the highways.

28     Sec. 21. Section 602.8108, subsection 8, Code 2023, is  
29 amended to read as follows:

30     8. The state court administrator shall allocate all of the  
31 fines and fees attributable to commercial vehicle violation  
32 citations issued by ~~motor vehicle division~~ personnel of  
33 the ~~state department of transportation~~ public safety to the  
34 treasurer of state for deposit in the road use tax fund.

35     Sec. 22. REPEAL. 2017 Iowa Acts, chapter 149, section 4, as

1 amended by 2018 Iowa Acts, chapter 1170, section 3, 2019 Iowa  
2 Acts, chapter 7, section 1, and 2022 Iowa Acts, chapter 1082,  
3 section 1, is repealed.

4 Sec. 23. REPEAL. Sections 321.480 and 327B.2, Code 2023,  
5 are repealed.

6 Sec. 24. TRANSFERS AND APPROPRIATIONS.

7 1. There is transferred from the department of  
8 transportation's asset forfeiture fund to the general fund  
9 of the state the amount of unencumbered or unobligated  
10 moneys remaining in the department of transportation's asset  
11 forfeiture fund.

12 2. There is appropriated from the general fund of the  
13 state to the department of public safety for the fiscal year  
14 beginning July 1, 2023, and ending June 30, 2024, the amount  
15 transferred to the general fund of the state pursuant to  
16 subsection 1, or so much thereof as is necessary, to be used  
17 for costs incurred by the department of public safety for the  
18 transition provided for in this Act.

19 3. a. The Iowa public employees' retirement system  
20 shall perform a trustee-to-trustee lump sum transfer to the  
21 Iowa department of public safety peace officers' retirement,  
22 accident, and disability system. The transfer shall include an  
23 amount consisting of the accumulated contributions by members  
24 transferred to the peace officers' retirement, accident, and  
25 disability system pursuant to this Act and every transferred  
26 member's share of the accumulated employer contributions as  
27 defined in section 97B.53. The transfer shall not be deemed  
28 to be a termination of a member's plan and an affected member  
29 shall not be entitled to a distribution of the moneys as a  
30 result of the member's transfer.

31 b. Upon completion of the transfer, the Iowa department  
32 of public safety peace officers' retirement, accident, and  
33 disability system shall engage an actuary to determine the  
34 actuarial cost of the remaining transfer. For purposes of this  
35 paragraph, "the actuarial cost of the remaining transfer" is an

1 amount determined by the peace officers' retirement, accident,  
2 and disability system in accordance with actuarial tables which  
3 reflects the actuarial cost necessary to fund the increased  
4 retirement allowances less the amount transferred by the Iowa  
5 public employees' retirement system.

6 c. Once the transfer is completed, the transferred members  
7 shall forfeit all rights, including service credit and  
8 benefits, under chapter 97B; shall be treated as members under  
9 chapter 97A; and shall be vested in a benefit under chapter 97A  
10 that shall not be less than the benefit to which the member was  
11 entitled under chapter 97B at the time of the transfer.

12 Sec. 25. TRANSITION — RULES.

13 1. a. Effective July 1, 2023, peace officers of the  
14 department of public safety shall assume the duties, powers,  
15 and responsibilities of peace officers designated by the  
16 department of transportation under section 321.477, Code  
17 2023, who are assigned to the supervision of the highways  
18 of this state. On or before July 1, 2023, the department  
19 of transportation and the department of public safety, in  
20 consultation with the department of administrative services,  
21 shall identify and transfer affected positions and incumbent  
22 peace officer and civilian employees from the department of  
23 transportation to the department of public safety. Former  
24 peace officer employees of the department of transportation  
25 who are covered by a collective bargaining agreement and who  
26 are reassigned shall be placed in an existing department of  
27 public safety peace officer classification within the state  
28 police officers council bargaining unit, without loss of  
29 seniority or loss of pay accrued while serving as a peace  
30 officer. Any peace officer so reassigned shall be entitled to  
31 all rights, privileges, and benefits of the peace officer's new  
32 classification, including longevity pay pursuant to section  
33 80.6 as calculated based upon years of service in a peace  
34 officer position, within the state police officers council  
35 bargaining unit as of the effective date of the employee's

1 reassignment.

2     b. The department of public safety shall honor a final  
3 offer of employment made by the department of transportation  
4 to a person who has not accepted the offer by July 1, 2023,  
5 if the employment offer is to fill a position that will be  
6 transitioned to the department of public safety under this  
7 Act. Such persons shall be assigned to the state patrol upon  
8 completion of the department of public safety academy training,  
9 and are entitled to all rights, privileges, and benefits of  
10 similarly reassigned positions and transitioned incumbent peace  
11 officer employees from the department of transportation.

12     2. On or before July 1, 2023, the department of  
13 transportation shall provide all appropriate documentation  
14 and data required for motor carrier safety assistance program  
15 activities, including but not limited to those relating to  
16 the reimbursement of expenses, for reporting purposes to the  
17 department of public safety, and any other documentation and  
18 data required by the department of public safety to comply with  
19 federal law or for purposes of the transition provided for in  
20 this Act.

21     3. On or before July 1, 2023, the department of  
22 transportation shall cooperate with the department of public  
23 safety to ensure the department of public safety is aware of  
24 the rules the department of transportation adopted relating  
25 to administering and enforcing commercial motor vehicle  
26 violations. The department of public safety shall inform the  
27 administrative code editor of the applicable rules that need  
28 to be transferred. Any such rule adopted by the department of  
29 transportation shall continue in full force and effect until  
30 the rule is transferred to the department of public safety.

31     Sec. 26. EFFECTIVE DATE. The following, being deemed of  
32 immediate importance, take effect upon enactment:

33     1. The section of this Act repealing 2017 Iowa Acts, chapter  
34 149, section 4.

35     2. The section of this Act setting forth transition

1 provisions.

2

EXPLANATION

3           The inclusion of this explanation does not constitute agreement with  
4           the explanation's substance by the members of the general assembly.

5       BACKGROUND. Under current law, the department of public  
6 safety (DPS) is charged with, among other things, preventing  
7 crime and detecting and apprehending criminals. The division  
8 of state patrol (state patrol) is established within DPS. The  
9 state patrol is required to enforce the provisions of Code  
10 chapter 321 (motor vehicles and law of the road) relating  
11 to traffic on public highways, including those relating to  
12 the safe and legal operation of passenger cars, motorcycles,  
13 motor trucks, and buses, and to see that proper safety rules  
14 are observed. In addition, the state patrol must investigate  
15 and assist in the examination and identification of stolen,  
16 altered, or forfeited vehicles.

17       The department of transportation (DOT) is responsible  
18 for the planning, development, regulation, and improvement  
19 of transportation as provided by law. DOT is authorized to  
20 designate certain employees as peace officers, who are assigned  
21 to DOT's office of motor vehicle enforcement (MVE). MVE  
22 officers must spend the preponderance of their time conducting  
23 enforcement activities that assure the safe and lawful  
24 movement and operation of commercial motor vehicles (CMVs) and  
25 vehicles transporting loads, including but not limited to the  
26 enforcement of motor vehicle laws relating to the operating  
27 authority, registration, size, weight, and load of motor  
28 vehicles and trailers, and registration of a motor carrier's  
29 interstate transportation service with DOT.

30       DOT and DPS are required to cooperate to ensure the proper  
31 and adequate enforcement of the provisions of Code chapter 321.

32       TRANSITION — DOT TO DPS. This bill provides for the  
33 transition of certain MVE employees from DOT to DPS.  
34 Effective July 1, 2023, DPS peace officers will assume the  
35 responsibilities and duties of MVE officers so transferred.

1 On or before July 1, 2023, DOT and DPS, in consultation with  
2 the department of administrative services, must identify and  
3 transfer affected positions and incumbent civilian and MVE  
4 officer employees from DOT to DPS. Transferred MVE peace  
5 officers will become peace officers in the state patrol.

6 The bill transfers to the state patrol responsibility for,  
7 among other duties, supervising the highways, including but not  
8 limited to conducting enforcement activities that ensure the  
9 safe and lawful movement and operation of CMVs and vehicles  
10 transporting loads. The state patrol is tasked with enforcing  
11 motor vehicle laws relating to the operating authority,  
12 registration, size, weight, and load of motor vehicles and  
13 trailers.

14 Under current law, MVE officers are authorized to enforce  
15 federal motor carrier safety rules adopted by DOT. Pursuant to  
16 such authorization, MVE officers may enter a motor carrier's  
17 place of business for the purpose of performing a motor carrier  
18 safety audit or compliance review. An MVE officer is also  
19 authorized to inspect and copy motor carrier records required  
20 by federal law. The bill authorizes DPS peace officers to  
21 perform a safety audit or compliance review or inspect motor  
22 carrier records.

23 RETIREMENT AND LONGEVITY PAY. DOT employees are members  
24 of, and receive benefits from, the Iowa public employees'  
25 retirement system (IPERS) (Code chapter 97B). DPS officers  
26 are members of, and receive benefits from, the peace officers'  
27 retirement, accident, and disability system (Code chapter 97A).  
28 Under the bill, a transferred MVE officer who has 10 or more  
29 years of membership service in IPERS on July 1, 2023, will  
30 remain a member of IPERS and will continue to be considered  
31 an employee in a protection occupation. A transferred MVE  
32 officer who has fewer than 10 years of membership service in  
33 IPERS will become a member of the peace officers' retirement,  
34 accident, and disability system. A person who is employed  
35 by DOT and retains limited authority of a peace officer

1 pursuant to the bill remains a member of IPERS and continues  
2 to be considered an employee in a protection occupation. A  
3 transferred MVE officer retains all rights to longevity pay.

4 REMAINING DOT OFFICERS. The bill authorizes DOT to  
5 designate certain employees who have limited authority as  
6 peace officers. The limited authority includes the ability to  
7 investigate and enforce laws relating to motor vehicle records,  
8 documents, credentials, procedures, and revenues, including  
9 but not limited to crimes and abuse of authority associated  
10 with fraud, identity theft, vehicle titles and registration,  
11 dealer licenses, and authorized vehicle recycler licenses; and  
12 relating to motor vehicle fraud including but not limited to  
13 state and federal odometer laws.

14 FINES — ROAD USE TAX FUND. The bill requires the state  
15 court administrator to allocate all of the fines and fees  
16 attributable to CMV citations issued by DPS, rather than DOT,  
17 to the treasurer of state for deposit in the road use tax fund.  
18 Under current law, moneys credited to the road use tax fund are  
19 prohibited from being appropriated for the payment of salaries,  
20 support, or maintenance of any personnel in DPS (Code section  
21 312.9). The bill does not modify this prohibition.

22 MISCELLANEOUS. The bill makes corresponding changes  
23 throughout the Code, transfers remaining moneys from DOT's  
24 asset forfeiture fund to DPS for costs associated with the  
25 transition, provides for a lump sum transfer from IPERS to  
26 the peace officers' retirement, accident, and disability  
27 system, requires DPS to honor certain employment offers by DOT,  
28 provides for transition provisions including the transfer of  
29 applicable documentation and data, and allows for the transfer  
30 of administrative rules from DOT to DPS.